

# **EXHIBIT 6**

**In the Matter of:**

*Emmanuel Thiersaint vs  
Department of Homeland Security, et al*

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*Rachelle Steinberg*

*February 04, 2021*

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Emmanuel Thiersaint vs  
Department of Homeland Security, et al

Rachelle Steinberg  
February 04, 2021

1 UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF MASSACHUSETTS

3 -----X

4 EMMANUEL THIERSAINT,

5 Plaintiff,

6 vs.

Civil Action No.  
1:18-cv-12406-PBS

7 DEPARTMENT OF HOMELAND SECURITY;  
8 U.S. IMMIGRATION AND CUSTOMS  
9 ENFORCEMENT; WILLIAM CHAMBERS,  
10 in his individual capacity;  
11 JOHN DOE DEFENDANTS 1-10, unknown  
12 ICE Agents, in their individual  
13 capacities; SUFFOLK COUNTY  
SHERIFF'S DEPARTMENT; JOHN DOE  
DEFENDANTS 11-16, unknown  
officers of the Suffolk County  
Sheriff's Department, in their  
individual capacities; and  
UNITED STATES OF AMERICA,

14 Defendants.

15 -----X

16  
17 DEPOSITION OF RACHELLE STEINBERG

18 Conducted Remotely

19 200 Nashua Street

20 Boston, Massachusetts

21 Thursday, February 4, 2021, 9:01 a.m.

22  
23  
24 Reporter: James A. Scally, RMR, CRR

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A P P E A R A N C E S

WOLF, GREENFIELD & SACKS PC

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Counsel for the Plaintiff

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Counsel for the Defendant United

States of America, et al.

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A P P E A R A N C E S

SUFFOLK COUNTY SHERIFF'S DEPARTMENT

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Boston, Massachusetts 02114

617-704-6680

By: Melissa J. Garand, Esq.

Counsel for the Defendant Suffolk

County Sheriff's Department

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## I N D E X

WITNESS

EXAMINATION

RACHELLE STEINBERG

(By Ms. DiMarco)

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## E X H I B I T S

NO.

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Exhibit 2	Defendant's response to plaintiff's second set of interrogatories	28
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Exhibit 3	NaphCare documents Bates stamped SCSD000056 through 135	38
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Exhibit 4	Screen shots Bates stamped SCSD000136 through 142	56
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Exhibit 5	Unit logbook Bates stamped SCSD000173 through 271	84
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Exhibit 6	Policy S424 Bates stamped SCSD004942 through 4947	91
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Exhibit 7	NaphCare policy Bates stamped SCSD000315 through 316	98
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(Exhibits were given to the court reporter to attach to the transcript.)

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1 THE COURT REPORTER: This is James  
2 A. Scally. I am a Registered Merit  
3 Reporter, Certified Realtime Reporter,  
4 and I am a Notary Public in the  
5 Commonwealth of Massachusetts.

6 This deposition is being taken  
7 remotely. This witness is appearing  
8 remotely from 200 Nashua Street,  
9 Boston, Massachusetts.

10 The attorneys participating in  
11 this proceeding acknowledge their  
12 understanding that I am not physically  
13 present in the proceeding room, nor am  
14 I physically present with the witness  
15 and that I will be reporting this  
16 proceeding remotely. They further  
17 acknowledge that, in lieu of an oath  
18 administered in person, the witness  
19 will verbally declare her testimony in  
20 this matter under the pains and  
21 penalties of perjury. The parties and  
22 their counsel consent to this  
23 arrangement and waive any objections to  
24 this manner of proceeding.

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1 Please indicate your agreement by  
2 stating your name and your agreement on  
3 the record, after which I will swear in  
4 the witness and we may begin.

5 MS. DiMARCO: Elizabeth DiMarco  
6 from Wolf, Greenfield & Sacks on behalf  
7 of the plaintiff Emmanuel Thiersaint,  
8 and we agree to proceed under this  
9 arrangement.

10 MS. GARAND: Melissa Garand on  
11 behalf of the Suffolk County Sheriff's  
12 Department, and I agree to proceed  
13 under this arrangement.

14 MS. PIEMONTE: Eve Piemonte on  
15 behalf of the federal defendants. I  
16 agree.



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RACHELLE STEINBERG, having been  
satisfactorily identified by the  
production of her driver's license and  
duly sworn by the Notary Public, was  
examined and testified as follows in  
answer to direct interrogatories:

EXAMINATION

BY MS. DiMARCO:

Q. Good morning, Rachelle.

A. Good morning.

Q. My name is Elizabeth DiMarco. You can call  
me Libbie. I represent the plaintiff, Emmanuel  
Thiersaint, and I will be asking you questions today.

A. Okay.

MS. DiMARCO: Before we begin, I'm  
just going to state for the record some  
stipulations that the attorneys in this  
case have reached. All objections,  
except as to form, including motions to  
strike, are reserved until trial.  
Consistent with prior depositions we've  
taken in this matter, this witness will  
have the opportunity to read and sign

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1 Q. And it says "General Population"?

2 A. Yes.

3 Q. Does the department use this housing  
4 assignment information in the mental health screening  
5 to determine where the individual is housed?

6 A. Medical will inform the department if someone  
7 needs to be medically or mental health housed.

8 Q. It wouldn't be using this --

9 A. It would be verbal.

10 Q. Okay. What's the purpose of the "Housing  
11 Assignment" section?

12 A. This is for medical purposes.

13 Q. What do you mean by that?

14 A. This is the medical intake, mental health  
15 evaluation or intake. That process is done by a  
16 nurse. The nurse will do an initial assessment as to  
17 what they feel is appropriate for housing for that  
18 individual. However, it is reviewed by a provider,  
19 and the provider will ultimately make the decision of  
20 whether that person may go to general population or  
21 needs to be medically housed.

22 Q. Who's the provider?

23 A. A mid-level, a nurse practitioner, or a  
24 physician's assistant, or a doctor.

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1 Q. So a NaphCare employee?

2 A. Correct.

3 Q. Okay. So is your testimony, then, that  
4 NaphCare employees decide housing assignments for --

5 A. For medical or mental health purposes only.

6 Q. So then a NaphCare employee decides whether  
7 an individual needs to be housed for a medical or  
8 mental health reason?

9 A. Correct.

10 MS. GARAND: Libbie, we've been  
11 going for about an hour and 15 minutes.  
12 I'm going to ask the witness: Do you  
13 need a break?

14 THE WITNESS: Could take a couple  
15 minutes.

16 MS. GARAND: Okay. Do you mind  
17 taking --

18 MS. DiMARCO: Let me just have  
19 like five more minutes, then we can  
20 take a 10- or 15-minute break.

21 MS. GARAND: Okay. That's fine.

22 BY MS. DiMARCO:

23 Q. Okay. So I think you said -- let me just  
24 take a look. (Pause.)